

AMENDED IN ASSEMBLY JANUARY 4, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 812

**Introduced by Assembly Member Ma
(Coauthor: Assembly Member Skinner)**

February 17, 2011

An act to ~~amend Section 16003 of, and to add Section 42704 to, add Sections 16005 and 42704 to~~ the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 812, as amended, Ma. Solid waste: recycled concrete: recycled asphalt.

Under existing law, it is the policy of the state to conserve and protect resources by encouraging the recycling of solid waste and the purchase of those recycled materials, including recycled concrete and rubberized asphalt concrete.

Under existing law, in purchasing any materials to be used in paving or paving subbase for use by the Department of Transportation or any other state agency that provides road construction and repair services, the State Procurement Officer is required to make contracts available for those items that use recycled materials. Existing law prohibits recycled concrete from being offered, provided, or sold to the Department of Transportation or the Department of General Services for any use unless specifically requested and approved by that department.

This bill would ~~delete the requirement that the Department of Transportation or the Department of General Services have specifically requested recycled concrete~~ *require the Department of Transportation*

and the Department of General Services to develop performance-based standard specifications and codes to allow the use of recycled and reclaimed concrete materials in minor or nonstructural concrete mixtures, at the option of the contractor. The bill also would require the Department of Transportation and the Department of General Services to develop a process to allow the consideration and acceptance of concrete mixes with recycled and reclaimed materials when proposed and demonstrated by contractors and suppliers on a project-by-project basis.

Existing law also requires the State Procurement Officer to make contracts available that use crumb rubber, unless the Director of Transportation determines that the use of the materials is not cost effective based on specified factors.

This bill would require the Department of Transportation to ~~increase the allowable amount of recycled asphalt pavement (RAP) to 50%~~ *develop a standard specification that is performance based and that allows for the use of high-volume reclaimed asphalt pavement (RAP) of up to 40% for hot mix asphalt mixes, at the option of the contractor;* unless the Director of Transportation determines that the use of the material is not practical, cost effective, or appropriate for a given application.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. Section 16005 is added to the Public Resources*
- 2 *Code, to read:*
- 3 *16005. (a) The Department of Transportation and the*
- 4 *Department of General Services shall develop performance-based*
- 5 *standard specifications and codes to allow the use of recycled and*
- 6 *reclaimed concrete materials in minor or nonstructural concrete*
- 7 *mixtures, at the option of the contractor.*
- 8 *(b) The Department of Transportation and the Department of*
- 9 *General Services shall develop, in conjunction with stakeholders*
- 10 *and academia, a process to allow the consideration and acceptance*
- 11 *of concrete mixes with recycled and reclaimed materials when*
- 12 *proposed and demonstrated by contractors and suppliers on a*
- 13 *project-by-project basis.*

1 SECTION 1. ~~Section 16003 of the Public Resources Code is~~
2 ~~amended to read:~~

3 ~~16003. Recycled concrete shall not be offered, provided, or~~
4 ~~sold to the Department of Transportation or the Department of~~
5 ~~General Services for any use, including, but not limited to, any~~
6 ~~project under its affiliation, contract authority, or oversight~~
7 ~~responsibility unless specifically approved by that department.~~

8 SEC. 2. Section 42704 is added to the Public Resources Code,
9 to read:

10 42704. The Department of Transportation shall ~~increase the~~
11 ~~allowable amount of recycled asphalt pavement (RAP) to 50~~
12 ~~percent~~ *develop a standard specification that is performance based*
13 *and that allows for the use of high-volume reclaimed asphalt*
14 *pavement (RAP) of up to 40 percent for hot mix asphalt mixes, at*
15 *the option of the contractor;* unless the Director of Transportation
16 determines that the use of the material is not practical, cost
17 effective, or appropriate for a given application.